

**REMARKS**

In the Office Action, the Examiner indicated that claims 1 through 17 are pending in the application and the Examiner rejected all claims.

**Rejection of Claims 1-17 under 35 U.S.C. §103(a)**

On page 3 of the Office Action, the Examiner rejected claims 1-17 under 35 U.S.C. §103(a) as being unpatentable over TOBAC: A Test Case Browser for Testing Object Oriented Software, by Ernst Siepmann et al., ACM 1998 ('TOBAC') in view of TETware Test Case Software from the Open Group, 1998 ('TETware').

**The Present Invention**

The present invention is a method, apparatus, and computer program product to facilitate automated testing of multiple software products operating on multiple platforms. The present invention retrieves a test case that has been selected by the user from the Test Definition Database, places it in a queue and then automatically executes each test case by remotely running each test case at a specified time.

**TOBAC: A Test Case Browser for Testing Object Oriented Software, by Ernst Siepmann et al., ACM 1998**

TOBAC: A Test Case Browser for Testing Object Oriented Software, by Ernst Siepmann et al., ACM 1998 ('TOBAC') teaches a test case browser. This test case browser is part of a test management system for object oriented software. The browser is used to define, manage and execute test cases. The main benefit of TOBAC is support for regression testing of complex objects. TOBAC is also self-adaptable to the structure of an arbitrary complex object (TOBAC, Abstract, pg 154).

**TETware Test Case Software from the Open Group, 1998**

TETware Test Case Software from the Open Group, 1998 ('TETware') teaches a uniform framework, or test scaffold, into which both non-distributed and distributed test suites can be incorporated. By providing such a scaffold, test suites from different vendors can share a common interface allowing for, among other things, ease of portability (TETware, Introduction, pg 3).

**The Examiner has not Established a *prima facie* Case of Obviousness**

As set forth in the MPEP:

To establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally

available to one of ordinary skilled in the art, to modify the reference or to combine reference teachings.

MPEP 2143

Neither of the prior art references, either alone or in combination, teach or suggest the claimed invention.

As indicated above in the summary of the present invention, the present invention introduces the idea of specifying a time for the execution of the test case. Specifically, claim 1 states the limitation of:

“executing said test case contained on said list automatically at specified times”

Each additional independent claim (claims 7 and 13) state a similar limitation. This limitation is especially important due to the cross-platform nature of the present invention. The present invention allows for software testing across multiple computer systems running different operating system platforms. By specifying times for each test to start, the programmer can allow for each test to conclude with enough time for results to be checked across each platform before proceeding with the next test. This limitation of specifying start times for the individual test cases patentably defines the present invention over the prior art, including TOBAC and TETware.

The Examiner looks to TETware to teach executing the test cases at specified times, specifically referring to the use of Synchronisation daemon “tetsyncd” and Execution Results daemon “tetrerd” (pages 45-47). However, nowhere does TETware disclose or reasonably suggest specifying a time for the execution of a test case. TETware instead refers to “Test Case synchronisation” where steps of execution are delayed at certain times during test case execution,

so as to ensure that test case parts running on the various systems keep in step with each other. This, however, is not executing at specified times. In fact, it teaches towards executing at times when it is synchronized with other systems, regardless of when the test case was added to the queue.

Additionally, the Examiner looks to TOBAC to teach the claimed limitations that are not taught in TETware. TOBAC, though, makes no mention of specifying a time of execution for a test case. TETware is merely directed towards a portion of a test case suite, in this case the browser. Thereby, no combination of TOBAC in view of TETware, whether taken alone or in combination, teach or reasonably suggest the present claimed invention.

As each independent claim specifically states the limitation of specifying a time for the execution of the test case, and TOBAC and TETware, either alone or in combination, fail to teach or reasonably suggest this limitation, claims 1-17 patentably define over TOBAC in view of TETware, and the Examiner is respectfully requested to reconsider and withdraw the rejections to claims 1-17 under 35 U.S.C. §103(a) over TOBAC in view of TETware.

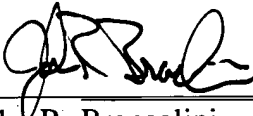
**Conclusion**

The present invention is not taught or suggested by the prior art. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of the claims. An early Notice of Allowance is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 09-0461.

Respectfully submitted,

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Date

  
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John R. Brancolini  
Registration No. 57,218  
SYNNESTVEDT & LECHNER LLP  
2600 Aramark Tower  
1101 Market Street  
Philadelphia, PA 19107  
Telephone: (215) 923-4466  
Facsimile: (215) 923-2189